

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	No. _____
Plaintiff,)	
)	18 U.S.C. §§ 1341 and 1346
v.)	NMT 5 Years Imprisonment
)	\$250,000 Fine
DEBORAH A. NEAL,)	3 Years Supervised Release
[DOB: XX/XX/50])	Class D Felony
)	\$100 Special Assessment
Defendant.)	

I N F O R M A T I O N

The United States Attorney charges that:

1. At all times material to this Information:

a. Defendant DEBORAH A. NEAL was a Municipal Court Judge for Kansas City, Missouri. Defendant was appointed as a Municipal Court Judge on May 17, 1996, and she remained a judge until November 3, 2004, when she submitted her resignation.

b. As a Municipal Court Judge, Defendant NEAL knew that she was subject to the Code of Judicial Conduct of the State of Missouri pursuant to Missouri Supreme Court Rule 2.

c. As a Municipal Court Judge, Defendant NEAL was one of the judges who presided over cases involving violations of Kansas City, Missouri ordinances.

d. As a Municipal Court Judge, Defendant NEAL owed a duty to provide to the citizens of the State of Missouri and citizens of other states who were parties appearing before her the intangible right to honest services, including compliance

with Missouri law and ethical rules and regulations contained in the Code of Judicial Conduct.

e. As a Municipal Court Judge, Defendant NEAL was prohibited from receiving funds, including loans, from attorneys or others with interests in the cases over which she presided, pursuant to the Missouri Code of Judicial Conduct.

f. As a Municipal Court Judge, Defendant NEAL was required to file annually with the Clerk of the Missouri Supreme Court reports entitled, "Public Report of Extra-Judicial Income Pursuant to . . . The Canons of Judicial Ethics. . . ", which required reporting of loans over \$100 and further provided as follows:

- (1) "Public Reports. A judge shall report the date, place, and nature of any activity for which the judge received compensation and the name of the payor and the amount of compensation so received. . . ."
- (2) "List and describe separately each gift, bequest, favor, or loan received by you or a member of your family residing in your household during the period covered by this report with value exceeding \$100. In each instance, state the donor and your best estimate of its value. (If none, write "None")."
- (3) These annual report forms state above the signature line the following: "I certify that the above statement is accurate, true and complete to the best of my knowledge and belief."

g. Defendant NEAL signed and filed the Public Report of Extra-Judicial Income Pursuant to The Canons of Judicial

Ethics Adopted by the Supreme Court of Missouri, beginning in 1997, the year after she was appointed judge, and continuing until 2004.

h. Defendant NEAL knowingly failed to report loans from attorneys or others in any of the Public Reports of Extra-Judicial Income filed with the Clerk of the Missouri Supreme Court between 1997 and 2004, although she had in fact received over \$28,000 in such loans from attorneys and a bonding company, which loans should have been reported on these Public Reports of Extra-Judicial Income.

i. The omission of the reporting of the loans from attorneys and the bonding company on the reports Defendant NEAL filed was material to the Missouri Supreme Court in ensuring compliance with the Canons of Judicial Ethics and in ensuring that judges were not depriving the citizens of the State of Missouri and other citizens of the intangible right to honest services of judges.

2. Between on or about May 1996 and November 2004, Defendant NEAL knowingly devised and intended to devise a scheme to defraud citizens of the State of Missouri and others of the intangible right to honest services of Kansas City, Missouri Municipal Court Judges, which scheme was in substance as follows.

3. It was a part of the scheme that, beginning in approximately 1996 and continuing until approximately

August 2004, Defendant NEAL solicited and received, and caused to be solicited and received, personal loans of money from attorneys, including attorneys who had cases over which Defendant NEAL presided, and from at least one bonding company which wrote appearance bonds for defendants appearing in cases over which Defendant NEAL presided. It was a further part of the scheme that Defendant NEAL solicited approximately \$30,000 in such loans, received approximately \$28,000 in such loans, and repaid approximately less than \$10,000 in such loans, leaving a balance of approximately \$18,000 in unpaid loans at the time Defendant NEAL resigned as Municipal Court Judge.

4. It was a further part of the scheme that Defendant NEAL sometimes requested that the loans from attorneys be made by cash and that the attorneys not tell anyone about the loans.

5. It was a further part of the scheme that, at various times, Defendant NEAL used Municipal Court personnel to request meetings with attorneys or others, from whom Defendant NEAL solicited personal loans.

6. It was a further part of the scheme that, at various times, Defendant NEAL solicited and received other monetary benefits from attorneys, including tickets for concerts and sporting events.

7. It was a further part of the scheme that Defendant NEAL met with certain attorneys who regularly appeared before her and

who had made loans to her in her chambers and permitted some of these attorneys to have unescorted access to what was supposed to be a secure area leading to Municipal Judges' chambers.

8. It was a further part of the scheme that Defendant NEAL, at various times, caused certain criminal cases to be transferred from the dockets of other judges to her and changed conditions of probation for the defendants represented by certain attorneys, including attorneys who had made loans to her.

9. It was a further part of the scheme that Defendant NEAL sometimes gave favorable treatment to certain attorneys appearing before her. On one occasion in approximately the Spring of 2000, Defendant NEAL dismissed approximately 41 traffic citations brought to her by a defense attorney without the knowledge or consent of the Kansas City, Missouri, City Prosecuting Attorney. Defendant NEAL fraudulently caused the computer number of an Assistant Prosecuting Attorney to be entered on the dismissal of these traffic citations on a date on which the Assistant Prosecuting Attorney was not working.

10. It was a further part of the scheme that Defendant NEAL used her ruling in a case as an opportunity to solicit and receive a loan from an attorney who had been charged as a defendant with a municipal ordinance violation. In approximately November 2002, a case was transferred to her division where the defendant was an attorney. In that case, Defendant NEAL reviewed

the evidence (including a videotape of a traffic stop involving the defendant attorney) before the evidence was presented in court. Defendant NEAL found the defendant not guilty after a trial before her. In approximately April 2003, Defendant NEAL solicited and received a loan of approximately \$5,000 from the defendant attorney whom she had found not guilty in November 2002, and never repaid the loan.

11. It was a further part of the scheme that Defendant NEAL caused attorneys to violate codes of ethics for attorneys in the State of Missouri by obtaining loans from these attorneys, including those who practiced regularly before her.

12. It was a further part of the scheme that some attorneys felt compelled to make the loans to Defendant NEAL out of fear of economic harm to themselves or their clients.

13. It was a further part of the scheme that Defendant NEAL knowingly omitted the loans from attorneys and bonding company from Public Reports of Extra-Judicial Income filed with the Clerk of the Missouri Supreme Court to avoid disclosure of the loans.

14. It was a further part of the scheme that Defendant NEAL, who filed for personal bankruptcy in June 2000, knowingly omitted loans from attorneys and the bonding company from bankruptcy court filings to avoid disclosure of the loans.

15. It was a further part of the scheme that Defendant NEAL concealed and hid the loans from the attorneys and bonding

company so that others, including prosecuting attorneys, other attorneys practicing before her (who had not made loans to her), other judges in whose cases she sometimes made rulings, other bonding companies, and parties not represented by attorneys who had made loans to her, none of whom were party to the loan scheme, were unaware of her real or potential conflicts of interest in cases pending before her.

16. On or about April 16, 2001, at Kansas City, and elsewhere in the Western District of Missouri, Defendant NEAL did knowingly cause to be sent and delivered by the Postal Service by mail to the Clerk of the Missouri Supreme Court, Jefferson City, Missouri, an envelope containing the "Public Report of Extra-Judicial Income Pursuant to Rule 2, Canons 5 and 6 of the Canons of Judicial Ethics Adopted by the Missouri Supreme Court for One Year Period Ending December 31, 2000," which report had the material omission of at least one loan over \$100 received by Defendant, more specifically, a loan of \$5,000 from an attorney who sometimes practiced before her, Defendant NEAL knowing that such report contained the material omission of the loan received by her during such reporting period;

All in violation of Title 18, United States Code, Sections
1341 and 1346.

Todd P. Graves
United States Attorney

By */s/ J. Daniel Stewart*

J. Daniel Stewart
Assistant United States Attorney

Dated: *May 3, 2005*
